**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.2495 OF 2006

M/s Avlon Developers Pvt Ltd, .. petitioner
Vs
Chandrakala P.Gonda and ors. .. Respondents

Mr P.J.Thorat, for the petitioner.
Mrs U.V.Kejriwal, APP for the respondents.
Mr Rajan Katdate,Sr.P.I. present.

**CORAM : SMT.RANJANA DESAI & D.B.BHOSALE,JJ.**
**DATED : 05th JUNE, 2007**

P.C.:

1. We have heard the learned counsel for the petitioner and the learned APP for the respondents.

2. In this petition, the petitioner has made the following prayers:

> (a) this Hon'ble Court in exercise of powers under Article 226 of the Constitution of India may issue a writ of mandamus or any other writ, order or direction in the nature of mandamus, thereby directing the respondent no.5 to appoint a Special Police Officer as per section 13 of the Immoral Traffic (Prevention) Act, 1956, for the area where said building is situated with further direction to forthwith carry out the investigation on the information furnished by the petitioners.
>
> (b) And/or in the alternative, if such Special Police officer is already appointed by the respondent no.5 then such Special Police Officer may be directed forthwith to carry out the investigation on the information furnished by the petitioners and submit his report to this Hon'ble Court and/or any other appropriate authority as this Hon'ble Court may deem fit."

Admittedly, insofar as the petitioner's prayer for appointment of a Special Police Officer is concerned, since the Government has, by notification dated 13.12.1991, appointed Assistant Commissioner of Police for the Zone under the jurisdiction of Dy.Commissioner of Police for dealing with offences under the Immoral Traffic (Prevention) Act, 1956, no further order is necessary from this court.

3. Insofar as the petitioner's second prayer that the police should carry out investigation is concerned, in the affidavit of Mr Rajan Katdare, Senior Police Inspector, attached to D.B.Marg Police Station, it is stated that the police have made necessary efforts and have taken necessary precaution to ensure that no illegal prostitution or brothel business is being carried out in the said building and in the surrounding vicinity. The affidavit also indicates that the necessary steps have been taken by the police in order to check and ensure that no illegal prostitution is being carried out. We are satisfied with the affidavit of Mr Katdare, Senior Inspector of Police. We note the presence of Shri Rajan Katdare in this court. In our opinion, no further orders are necessary on this petition. The petition is disposed of.

(D.B.BHOSALE,J.) (SMT.RANJANA DESAI,J.)